

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**v.**

**MARCUS WHITE**

:  
:  
:  
:  
:  
:  
:

**CRIMINAL ACTION NO. 10-CR-420-1**

**CIVIL ACTION NO. 12-cv-5548**

**ORDER**

**AND NOW**, this 5th day of January, 2021, in consideration of Marcus White's Motion for Relief from Judgment Under Fed. R. Civ. P. 60(b) (ECF No. 268), it is **ORDERED** that:

1. The Motion is **DISMISSED** for lack of subject matter jurisdiction without prejudice to White's right to file with the United States Court of Appeals for the Third Circuit an application to file a second or successive § 2255 motion. *See* 28 U.S.C. § 2244(b) & § 2255(h).

2. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c) because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to these claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

/s/Petrese B. Tucker

---

**PETRESE B. TUCKER, J.**